

REMARKS:

Claims 1 and 4 have been amended by this paper and claims 2 and 6-8 have been cancelled by this paper. Support the claim amendments may be found throughout the drawings, the specification and the originally filed claims.

Claims 1, 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,790,361 to Jones et al. (the "Jones reference"). The rejections are respectfully traversed.

Claim 1 has been amended by this paper to require the ring portions of the bellows barrel part to include projections arranged thereon, wherein the sheet includes locking holes aligned to receive the projections therein when the sheet is wrapped around the bellows barrel part.

The Jones reference does not disclose or suggest the use of projections and locking holes in the claimed manner and, therefore, cannot obviate pending claims 1, 6 and 7. Withdrawal of the rejections based upon the Jones reference is respectfully requested.

Claims 2 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jones reference in view of U.S. Patent No. 6,354,458 to Policappelli (the "Policappelli reference") and U.S. Patent No. 4,157,103 to La Fleur (the "La Fleur reference"). The rejections are respectfully traversed.

As shown in Fig. 12, the Policappelli reference discloses a container for fluid having an elongated body portion 17 with first and second ends 11, 13. Referring to Fig. 19, the elongated body portion may be provided with protrusions 18 to "enhance the ability of the user to grasp the container." (Col. 5, ll. 55-62.) However, the Policappelli reference does not disclose, among other things, projections disposed on the ring portions of a bellows barrel part, as required by the pending claims of the present patent application.

As is discussed in the specification of the present patent application, a sheet with locking holes to receive projections extending from the ring portions of a bellows barrel part has advantages not contemplated by the prior art, certainly not the Policappelli reference. In particular, providing a sheet with locking holes to receive projections extending from the ring portions of a bellows barrel part resists collapse of the bellows barrel portion.

Thus, the combination of the Jones and Policappelli references fails to teach each and every limitation of the pending claims, and makes no suggestion whatsoever of the advantages of

the claimed sheet with locking holes for receiving projections in connection with the claimed extendable container.

As shown in Fig. 4, the La Fleur reference discloses a container having a top portion 2 and a bottom portion 4 separated by a pleated portion 6. A handle member 36 is connected to the bottom portion 4 and includes various apertures 40 configured to receive a protrusion 10 therein. The volume of the container may be adjusted by receiving the protrusion 10 in various apertures 40 in the handle member 36.

However, the La Fleur reference does not disclose, among other things, a sheet having locking holes therein or a bellows barrel portion having projections extending from the ring portions thereof.

Thus, like the Jones and Policappelli references, the La Fleur reference fails to disclose each and every limitation of the pending claims of the present patent application. Furthermore, the La Fleur reference fails to disclose or suggest using a sheet, preferably an adhesive sheet, having locking holes therein to engage projections extending from the ring portions of a bellows barrel portion to resist collapse of the bellows barrel portion.

A basic requirement for establishing a *prima facie* case of obviousness is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (MPEP § 2143.) For the reasons expressed above, neither the Jones reference, the Policappelli reference nor the La Fleur reference discloses, among other things, projections disposed on the ring portions of a bellows barrel part. Therefore, it is submitted that the Examiner’s proposed combination of the Jones, Policappelli and La Fleur references cannot, as a matter of law, properly establish a *prima facie* case of obviousness.

Furthermore, it is submitted that the unexpected advantages associated with a sheet having locking holes therein for engaging projections extending from the ring portions of a bellows barrel portion rebut obviousness in this case. See *Kao Corp. v. Unilever U.S., Inc.*, 441 F.3d 963, 970 (Fed. Cir. 2006) (a *prima facie* case of obviousness can be rebutted by a showing of unexpected results). Specifically, pursuant to the claimed invention, the collapse of a bellows barrel portion can be resisted by attaching a sheet to the bellows barrel portion such that locking holes in the sheet receive projections extending from the ring portions of the bellows barrel portion. These advantages are not discussed or contemplated by the Jones, Policappelli and La

Fleur references.

Accordingly, withdrawal of the rejections of claims 2 and 8 based upon the combination of the Jones, Policappelli and La Fleur references is respectfully requested.

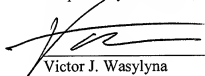
Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jones reference in view of U.S. Patent No. 3,918,603 to Hatada. For the reasons expressed above, the rejection of claim 3 is respectfully traversed.

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Jones reference in view of Policappelli and La Fleur reference and further in view of JP 08-054829 to Umeda et al. For the reasons expressed above, the rejections of claims 4 and 5 are respectfully traversed.

Accordingly, for the foregoing reasons, it is respectfully submitted that the pending claims of the present patent application are in condition for allowance and formal notice thereof is respectfully requested.

The Commissioner is hereby authorized to treat any paper that is filed in this application, which requires an extension of time, as incorporating a request for such an extension. The Commissioner is further authorized to charge any fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,



Victor J. Wasylyna
Reg. No. 52,345

THOMPSON HINE LLP
Post Office Box 8801
Dayton, Ohio 45401-8801
PH (937) 443-6812
E-mail: IPGroup@ThompsonHine.com

533617